TELEHEALTH 201: Licensure

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CENTER FOR CONNECTED HEALTH POLICY (CCHP) is a non-profit, non-partisan organization that seeks to advance state and national telehealth policy to promote improvements in health systems and greater health equity.
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Licensure Policy

- Licensure is controlled by the states
  - Typically, if you are providing services to a patient located in another state, you must be licensed in that state.
  - Sometimes there are narrow exceptions such as you are operating in a contiguous state or providing services within a certain distance of a state border.
  - During the public health emergency (PHE) some states relaxed their licensure requirements and allowed providers in good standing licensed in other states to provide services without getting a license in the patient state. Those will end with the PHE unless some change in the state has been made.
  - Some states may have special licenses or certificates that they issue for telehealth.
To address the licensure issue, some states have joined compacts.

- Compacts are agreements among states that impact licensure of providers.
- There are several different compacts that exist, targeting specific health professions (physicians, nurses, PTs, etc.).
- A state must pass the exact same legislation to join a compact.
- Most compacts have a minimum number of states that must have passed legislation before the compact becomes active.
- Compacts differ in how they operate.
<table>
<thead>
<tr>
<th>COMPACT</th>
<th>TYPE OF COMPACT</th>
<th># MEMBER STATES</th>
<th>ACTIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Licensure Compact (Physicians)</td>
<td>Expedited process</td>
<td>31 states, DC &amp; Guam</td>
<td>Yes</td>
</tr>
<tr>
<td>Nurse Licensure Compact</td>
<td>Mutual recognition</td>
<td>37 states &amp; Guam</td>
<td>Yes</td>
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<tr>
<td>Physical Therapy Compact</td>
<td>Mutual recognition</td>
<td>33 states</td>
<td>Yes</td>
</tr>
<tr>
<td>Psychology Interjurisdictional Compact</td>
<td>Apply with PSYPACT Commission for ability to practice telepsychology in compact member states.</td>
<td>26 states &amp; DC</td>
<td>Yes</td>
</tr>
<tr>
<td>Audiology &amp; SLP Interstate Compact</td>
<td>Mutual recognition</td>
<td>15 states</td>
<td>Yes</td>
</tr>
<tr>
<td>Emergency Medical Services Personnel Licensure Compact</td>
<td>Extend “Privilege to Practice” in compact member states under qualified circumstances</td>
<td>21 states</td>
<td>Yes</td>
</tr>
<tr>
<td>Occupational Therapy Compact</td>
<td>Mutual recognition</td>
<td>9 states</td>
<td>No</td>
</tr>
<tr>
<td>Counseling Compact</td>
<td>Mutual recognition</td>
<td>2 states</td>
<td>No</td>
</tr>
</tbody>
</table>
Licensure laws relaxed in some states in response to COVID-19

2 States Made Changes to Licensure Laws

- Florida & Arizona
- Physicians licensed in other states could register with Florida and Arizona and not have to get a state license.
- Uncertain how onerous the “registration” process may be.
- Arizona set to launch registry later this year (November 2021)
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